

# BIOETHICS

## an introduction

# So far we have covered...

- How to assess and address various health problems in health care settings
- How to build and evaluate a preventive intervention
- How to successfully advocate for adolescent health (using epidemiological data)

# KEY ISSUE

1. You have experience in ethical issues & dilemmas and can build on these
2. There are no unique answers to any ethical issue
3. We live in an pluralistic environment with many different sets of values
4. Understand your own personal biases
5. Better to consult with others in dealing with challenging situations

# OVERALL OBJECTIVES OF THE MODULE

1. Understand the importance of bioethics and how it relates to other fields such as religion, law, and culture
2. Identify all those (individuals, families, institutions, etc.) who should be involved in the framing of bioethical questions and their solutions
3. Use a process for addressing bioethical issues as they relate to the sexual and reproductive health of young people aged ten to twenty-five
4. Recognize that, given the existence of competing ethical value systems, there is no unique answer and therefore, one needs a step by step rational process (deliberation) to address each situation

**Think of a situation which you  
recently faced and which raised  
ethical concerns**

# QUESTIONS

1. Why do they think this was a challenging situation
2. What were the conflicting issues involved ?
3. How did you handle the situation in the best interest of each person involved ?
4. What does the concept of “value” mean.
5. What were the values which you had to address?

# DEFINITION

1. Ethics is the application of moral philosophical values
2. Medical ethics is the application of moral values to medical situations / public health situations
3. Group morality develops from shared concepts and beliefs and is often set out in order to regulate behavior within a culture or a community

# DEFINITION OF BIOETHICS

Bioethics look at how to maintain respect for, and protection of, the individual in the light of our expanding knowledge of the life sciences and their applications in the areas of:

- clinical practice
- research
- policy and public health

# SOME BASIC CONCEPTS

## ■ AUTONOMY

- *the adolescent's/young person's rights, the informed consent*

## ■ BENEFICENCE

- *the adolescent's /young person's needs and best interest*

## ■ NON MALEFICIENCE

- *minimising harm*
- *setting the limits, to experiment, to cure*

## ■ JUSTICE (AND EQUITY)

- *the right not to be discriminated against / stigmatised*
- *access to proper health care for all*

Autonomy refers amongst other things to a subject's right to make their own decisions. It involves, among others things; respect for the person's will; the obligation to deliver clear, concise, true, comprehensive information in a confidential way; respect for the person's right to give or withdraw consent to any procedure.

Beneficence requires coming to some judgment about what is actually beneficial to the client, what is “good” for the client, the individual subject, or people in general (in the case of public health)

Nonmaleficence, aims to protect clients from harm, and is a variant of the autonomy principle, emphasizing negative liberty. It stresses the Hippocratic principle of “primum non nocere” (first do no harm). In other words, the health care provider commits himself to relieve suffering and pain, to prevent illness and promote health. The ultimate goal is to increase the benefits and minimize the risks linked with any intervention

Justice/equity is meant to ensure a fair share of social and medical resources, such that individuals are free to make effective and autonomous judgments in living their lives, and, at the same time ensuring that the policies and public health interventions do not encourage social inequities or stigmatise certain groups of the population according to racial, ethnic, religious or political criteria.

Applying bioethics to clinical and public health situations in a society with diverse ethnic groups and different cultures and views, requires a move towards a more complex evaluation of ethical situations

- Importance of consultation
- Careful consideration of a wide range of views

# ADDRESSING BIOETHICAL ISSUES REQUIRES:

- awareness of the medical factors
- awareness of your own personal standpoint/biases
- awareness of the legal framework
- awareness of social, religious & multicultural issues
- willingness to involve lay people in the decision

# Ethics and young people

# WHAT IS SPECIAL ABOUT ADOLESCENTS ?

- Often economically dependent on their parents
- Moving towards autonomy
- Not all young people are at the same developmental stage at any given chronological/biological age
  - competence and consent
  - assessing to what extent decisions made at this age may have profound and long lasting consequences
- The age of majority and license varies from country to country

# THE CONVENTION OF THE RIGHTS OF THE CHILD

- the right to be heard (art. 12)
- the right to express his own rights and the right for autonomy (art. 12 & 14)
- the best interest of the child (art. 3)
- the right to be protected from violence (art. 23)
- the right not to be discriminated against (art 2)

# CONCEPTS

- **Age of “majority”** is the threshold of adulthood as it is conceptualised in law. It is the chronological moment when children legally take control over themselves, their actions and decisions, thereby terminating the legal control and legal responsibilities of their parents over them.
  
- **Age of “license”** is the age at which the law permits an individual to perform *specific acts and exercise certain rights*, with or without any restrictions:
  - allowed to vote,
  - leave school without a diploma,
  - enter into legally binding contracts,
  - operate a motor vehicle, purchase and consume alcoholic beverages, and so on – these are all ages of license,

# THREE IMPORTANT CONCEPTS

1. Competence
2. Informed consent
3. Confidentiality

**Competence** refers to the fact that a person is able to understand the issues linked to a situation requiring a decision. All individuals who have attained their majority are considered competent, unless they suffer from major psychiatric disturbance. The extent to which young people not having reached their majority can be considered competent is open to debate (“mature minors”).

**Informed consent.** an individual who is considered competent has the right to make his/her own judgments and decisions about any health intervention that involves him/her, whether this undergoes a laboratory test, being prescribed a medication, or undergoing surgery.

**Confidentiality** refers to the fact that any 'competent' person has the right to demand that his/her physician / health care provider does not disclose any information to any other person, unless he/she has been given express permission to do so by the client.

# ASSESSING THE COMPETENCE OF MINORS

# Information

Deliver the information in such a way as to make sure that the adolescent fully understands what the issues are

Check out this understanding by asking him/her to rephrase the information which has been presented

# Discussing the options

Discuss the various options with the client and explore with him/her the medical and non medical consequences of these options.

Discuss the advantages and disadvantages linked to each option.

Check out that the client fully understands the issues by asking him to rephrase the information which has been presented.

# Negotiating a decision

Depending on the result of your assessment of the young person's competence, you negotiate a final decision :

1. If he/she is judged totally competent then the decision depends on him/her
2. If he/she is not judged competent then the decision depends on you.
3. **In most cases the decision will be *negotiated* between the two of you.**

# Ethics and public health

# Bioethical issues in Public Health

## Examples

- Highest level of health for the greatest number of people...
- Focus less on cure and more on health promotion (education, nutrition...)
- The best interest of most people has to be balanced with the rights of the individual

# Application of Bioethics in Public Health

- Production of data and use of them  
Evidence Based Medicine/Public health
- Ethics when organizing health care:
  - Priorities, when resources are limited
  - Access to health services for all
- Ethics of programs of preventive interventions
  - Individual versus structural/environmental measures

# Prevention

- What values are implicit or explicit in an intervention?
  - Changing behavior ?
    - *Who decides what is the “correct” life style?*
  - Affecting quality of life ?
    - *Who decides what QoL is for whom?*
  
- Disrespecting minorities from other cultures?
  - Nutrition
  - Sexuality

The example of sex education

# What Are The Objectives of Sex Education?

- Changing behaviour? (e.g. abstinence versus protection)
- Identity consolidation?
- Quality of sexual life?
- Prevention of STIs and unwanted pregnancy?
- Improving young people's health and knowledge about their own bodies?

**The condition to be prevented must represent a substantial danger to the health of some populations**

HIV/Aids

**The intervention must be effective and devoid of important side effects**

Use of condoms

## **The intervention must respect the principle of accessibility and equity:**

- What about sex education programs which target adolescents in school while we know that drop-outs are facing more life threatening situations?

## **The intervention must not stigmatized sub-groups of the population**

- sex education programs which only focus on migrant adolescents?

## The intervention must respect equity

- what about screening programs for STIs which target only women ?

# BIOETHICS

## AN APPROACH TO ADDRESSING ETHICAL ISSUES

# So far we have covered...

- How to define ethics and bioethics
- The foundation of bioethics as applied to young people
- The importance of bioethics in the fields of clinical care and public health

# OBJECTIVES

## **Review a stepwise approach to address situations with ethical issues:**

- 1.** Identify all those (individuals, families, institutions, etc.) who should be involved in the framing of bioethical questions and their solutions
- 2.** Use a process for addressing bioethical issues as they relate to sexual and reproductive health of young people aged ten to twenty-five
- 3.** Recognize that, given the existence of competing ethical value systems, there is no unique answer and therefore, one needs a step by step rational process (deliberation) to address each situation

# DELIBERATION

## *Principles*

- The answer is never purely medical, or legal, or social..
- Each situation is unique
- There is never one single solution
- All stakeholders should, if possible, participate in the process
- Young people themselves should have a voice in the process

# SCENARIO

- A sixteen year old girl is brought to a health professional by her teacher
- The teacher suspects that she may be pregnant as her last period was ten weeks ago
- A pregnancy test/examination is performed, and it is positive

# SCENARIO

- She has a regular boyfriend but doesn't want him to know
- The father is a politician running for the position of mayor and he is against abortion
- She is afraid that her parents may find out about her pregnancy
- The girl is shocked about being pregnant and wants an abortion without her parents knowing

# 1<sup>st.</sup> step

Review of the legal, cultural,  
religious framework and basic  
relevant background documents

## 2<sup>nd.</sup> step

Identify the main stakeholders  
involved with the ethical issues  
and who will make the final  
resolution

In most cases, it will be difficult or even impossible to gather all stakeholders. But rather than making the decision by yourself, you should go through the process with a trusted colleague, and involve someone above you in your hierarchy

## 3<sup>rd.</sup> step

Analyze the situation and define  
the options

## 4<sup>th</sup>. step

**Assess what the medical/health  
consequences are for the  
different options**

## 5<sup>th.</sup> step

Consider the ethical values  
linked to each option

## 6<sup>th</sup>. step

Discuss the best options for the  
client

7<sup>th.</sup> step

Choose option/s

# EXAMPLE

# ANOTHER PUBLIC HEALTH SCENARIO

- You work as the lead public health officer in a large city
- Your public health administration thinks it is an excellent program but it is unable to support it financially
- You have been totally unsuccessful in getting financial support for this
- A tobacco company offers to finance a health promotion program including HIV prevention.
- The sexual health problems locally are increasing and you are pressed to do something about it.
- How do you decide whether to accept the offer or not ?